

06/28/00

JUL 8 2003 U.S. PTO

REQUEST FORM AND FORMALITIES PRELIMINARY AMENDMENT FOR
FILING A PATENT APPLICATION UNDER 37 C.F.R. 1.53(b)

Submit an original and a duplicate for fee processing

JUL 8 2003 U.S. PTO
09/605054
06/28/00

THIS APPLICATION:

PRIOR APPLICATION:

TOTAL NO.

DOCKET NUMBER

FILING DATE

EXAMINER

ART UNIT

OF PAGES

P62285US1

June 28, 2000

Berman, A.

1615

4

Address to:

Assistant Commissioner of Patents
Box Patent Application
Washington, D.C. 20231

This is a request for filing a [x] continuation or [] divisional application under 37 C.F.R. 1.53(b) of prior application Serial No. 09/125,810 filed on August 26, 1998, entitled **SLOW-RELEASE PHARMACEUTICAL FORMULATIONS CONTAINING MIZOLASTINE** by the following inventor(s).

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	CHARIOT	Maryvonne	
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	La Ville Du Bois	France	France
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	22 ruelle des Néfliers	La Ville Du Bois	France 91620

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	LEWIS	Gareth	
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Dourdan	France	Great Britain
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	39 avenue de Paris	Dourdan	France 91410

	Family Name	First Given Name	Second Given Name
Full Name of Inventor	MONTEL	Jean	
	City	State or Foreign Country	Country of Citizenship
Residence & Citizenship	Chatou	France	France
	Post Office Address	City	State & Zip Code/ Country
Post Office Address	3 rue Le Val Sablon	Chatou	France 78400

☐ additional sheet(s) with inventors information attached

1. ☒ A Second Preliminary Amendment is enclosed.
2. ☐ Cancel claim(s) _____ for purposes of lessening filing fees.

The filing fee is calculated on the basis of the claims existing in the prior application as amended by 1 and/or 2 above.

CLAIMS

Basic Fee		\$345	\$690
Total Claims	23 - 20 = 3	x 9 = \$	x 18 = \$ 54
Ind. Claims	6 - 3 = 3	x 39 = \$	x 78 = \$234
<input type="checkbox"/> Multiple Dependent Claims		+130 = \$	+ 260 = \$
		Total \$	Total \$978

3. ☒ The Commissioner is hereby authorized to charge fees under 37 C.F.R. 1.16 and 1.17 which may be required or credit any overpayment to Deposit Account No. 06-1358. A duplicate copy of this sheet is enclosed.
4. ☐ This application is filed under Rule 53(f) and therefore the ☐ Filing Fee ☐ Declaration is not enclosed.
5. ☒ A check in the amount of \$978 is enclosed.

6. ☒ Amend the specification by inserting before the first line the sentence:

9/29/98 A4
--This is a continuation of application Serial No. 09/125,810, filed August 26, 1998, which is a 371 of PCT/FR97/00355, filed February 28, 1997. --

7. ☐ A verified statement claiming small entity status under 37 CFR 1.9 and 1.27:

a) ☐ was claimed by way of a declaration filed in prior application Serial No.

b) ☐ is claimed by way of the attached declaration.

8. ☒ Priority of Application No. 96.02662 filed in France on March 4, 1996 is claimed under 35 U.S.C. 119.

a) ☒ Certified copy of the priority document filed through the IB.

b) ☐ Certified copy filed herewith.

9. ☒ The prior application is assigned of record to SYNTHELABO, Paris, France.

10. ☒ The Power of Attorney in the prior application is to at least one of the following:

John Clarke Holman, 22,769; Harvey B. Jacobson, Jr., 20,851; D. Douglas Price, 24,514; Marvin R. Stern, 20,640; Michael R. Slobasky, 26,421; Jonathan L. Scherer, 29,851; Irwin M. Aisenberg, 19,007; and William E. Player, 31,409.

a) ☒ The power appears in the original papers of the prior application.

b) ☐ The New Power Of Attorney And Revocation Of Previous Powers, as well as the original power submitted subsequent to the filing of the application, are enclosed.

11. ☒ Petition to extend the life of the above prior application to at least the date hereof

☐ is being concurrently filed in that prior application.

☐ was previously filed in that application.

☒ is not necessary.

If a Petition for Extension of Time is necessary and the Petition and/or the check is not enclosed, this will act as the Petition and applicant herewith petitions the Commissioner to extend the time for response and charge any fees necessary under 37 CFR 1.17 (a)(1)-(5) to Deposit Account No. 06-1358.

12. ☐ New formal drawings are enclosed.

13. ☒ Enclosed is Form PTO-1449 listing prior art of record in parent application Serial No. 09/125,810, filed August 26, 1998, which is relied on for an earlier filing date under 35 U.S.C. 120.
14. ☐ Also enclosed is:

Address all future correspondence to:

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The Jenifer Building
400 Seventh Street, N.W.
Washington, D.C. 20004-2201
Telephone 202/638-6666
Customer No. 000136

Enclosed is a copy of the prior application, Serial No. 09/125,810, as originally filed on August 26, 1998.

Respectfully submitted,

By Harvey B. Jacobson, Jr.
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Dated: June 28, 2000

☒ Attorney or Agent of record

☐ Filed under 37 CFR 1.34(a)